



MEETING DATE: 8/21/2006
ITEM NO: 4

COUNCIL AGENDA REPORT

DATE: AUGUST 11, 2006
TO: MAYOR AND TOWN COUNCIL
FROM: DEBRA J. FIGONE, TOWN MANAGER

A handwritten signature in black ink, likely belonging to Debra J. Figone, the Town Manager.

SUBJECT: APPOINT MAYOR DIANE MCNUTT AS THE PRIMARY VOTING DELEGATE AND DEBRA FIGONE, TOWN MANAGER AND JENNY HARUYAMA, ADMINISTRATIVE PROGRAMS MANAGER AS ALTERNATE VOTING DELEGATES FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE SCHEDULED FOR SEPTEMBER 6-9, 2006 IN SAN DIEGO, CALIFORNIA

RECOMMENDATION:

Appoint Mayor Diane McNutt as the primary voting delegate and Debra Figone, Town Manager and Jenny Haruyama, Administrative Programs Manager as alternate voting delegates for the League of California Cities Annual Conference scheduled for September 6-9, 2006 in San Diego, California.

PURPOSE:

The purpose of this report is to recommend a primary and alternate voting delegate for the League of California Cities Annual Conference, scheduled for September 6-9, 2006 in San Diego, California. This report was originally deferred from the Monday, August 5, 2006 Council Consent Calendar to address scheduling conflicts and provide an alternate recommendation.

BACKGROUND:

Each year the League of California Cities conducts an annual conference to discuss key legislative, social, fiscal, and service issues affecting California communities. One important aspect of the conference is its annual business meeting where the League membership takes

PREPARED BY:

A handwritten signature in black ink, likely belonging to Jenny Haruyama, the Administrative Programs Manager.
JENNY HARUYAMA
Administrative Programs Manager

PSJ:pg

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Reviewed by: PSJ Assistant Town Manager OM Town Attorney
____ Clerk Administrator ____ Finance ____ Community Development

SUBJECT: APPOINT MAYOR DIANE MCNUTT AS THE PRIMARY VOTING DELEGATE AND DEBRA FIGONE, TOWN MANAGER AND JENNY HARUYAMA, ADMINISTRATIVE PROGRAMS MANAGER AS ALTERNATE VOTING DELEGATES FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE SCHEDULED FOR SEPTEMBER 6-9, 2006 IN SAN DIEGO, CALIFORNIA

August 11, 2006

action on conference resolutions. Annual conference resolutions guide cities and the League in efforts to improve the quality, responsiveness, and vitality of local government in California.

DISCUSSION:

To expedite the annual business meeting, participating cities/towns have been asked to designate a primary and alternate voting representative for voting purposes. League by-laws indicate that each city/town is entitled to one vote in matters affecting municipal or League policy.

Due to scheduling conflicts, a Council alternate voting delegate is not available. The Mayor has recommended that Debra Figone, Town Manager and Jenny Haruyama, Administrative Programs Manager serve as alternate voting delegates. Staff has confirmed with the League that under these circumstances, it is acceptable to designate an appointed official or staff member as an alternate voting delegate in the event that an elected official is not available.

Attached are the proposed conference resolutions. In the past, staff has provided Council with a resolution analysis and position recommendation when resolutions are considered to be substantive. Staff has determined that the attached resolutions are not substantive and recommends that the Town's voting delegate determine the Town's position based on resolution discussion and feedback at the League Annual Business Meeting.

FISCAL IMPACT:

There is no fiscal impact associated with the Council appointment of a primary and alternate voting delegate for the League of California Cities Annual Conference.

Attachments:

Attachment No 1: 2006 League of California Cities Resolutions



1400 K Street, Suite 400 • Sacramento, California 95814
Phone: 916.658.8200 Fax: 916.658.8240
www.cacities.org

July 19, 2006

TO: Mayors, City Managers and City Clerks
League Board of Directors
General Resolutions Committee Members
Members, League Policy Committees to Which Resolutions Are Referred

RE: Annual Conference Resolutions Packet
Notice of League Annual Meeting

Enclosed please find the 2006 Annual Conference Resolutions packet.

Annual Conference in San Diego. This year's League Annual Conference will be held September 6-9 at the San Diego Convention Center. The conference announcement has previously been sent to all cities and we hope that you and your colleagues will be able to join us. More information about the conference is available on the League's website at www.cacities.org/ac. We look forward to welcoming city officials to the conference.

Annual Business Meeting - September 9, 8:30 a.m. The League's Annual Business Meeting will be held on Saturday, September 9, 8:30 a.m. at the Marriott Marina Hotel, located adjacent to the San Diego Convention Center.

Resolutions Packet. At the Annual Conference, the League will consider the four resolutions introduced by the July 10 deadline and included in this packet. We request that you distribute this packet to your city council.

We encourage each city council to consider the resolutions and to determine a city position so that your voting delegate and alternate can represent your city's position on each. A copy of the resolutions packet is posted on the League's website for your convenience:
www.cacities.org/resolutions.

The resolutions packet contains additional information related to consideration of the resolutions at the Annual Conference. This includes the date, time and location of the meetings at which resolutions will be considered.

Voting Delegates. Each city council is encouraged to designate a voting delegate and alternate to represent their city at the Annual Business Meeting. A letter asking city councils to designate their voting delegate and alternate has already been sent to each city. We invite your city's participation in this important League meeting to help develop League policy.

**Please Bring This Packet to the Annual Conference
September 6 - 9, San Diego**

I. INFORMATION AND PROCEDURES

RESOLUTIONS CONTAINED IN THIS PACKET. This year, four resolutions have been introduced for consideration by the Annual Conference and referred to the League policy committees. The League bylaws provide that resolutions shall be referred by the president to an appropriate policy committee for review and recommendation. Resolutions with committee recommendations shall then be referred to the General Resolutions Committee at the Annual Conference.

POLICY COMMITTEES. Three policy committees will meet at the Annual Conference on Wednesday, September 6, at the Marriott Marina Hotel, located adjacent to the Convention Center. The Administrative Services Policy Committee will meet from 10:30 a.m. - Noon., and the Community Services and Public Safety Policy Committees will meet from 1 - 2:30 p.m. The sponsors of the resolutions were notified of the time and location of the meeting. Please see page iii for the meeting schedule.

THE GENERAL RESOLUTIONS COMMITTEE will meet at 1:30 p.m., on Friday, September 8, at the San Diego Convention Center to consider the reports of the three policy committees regarding the four resolutions. This committee includes one representative from each of the League's regional divisions, functional departments, and standing policy committees, as well as additional city officials appointed by the League president.

THE CONCLUDING GENERAL SESSION/ ANNUAL BUSINESS MEETING will convene at 8:30 a.m. on Saturday, September 9, at the Marriott Marina Hotel, San Diego.

PETITIONED RESOLUTIONS. For those issues that develop after the normal 60-day deadline, a resolution may be introduced with a petition signed by designated voting delegates of 10 percent of all member cities (48 valid signatures required) and presented to the Voting Delegates Desk no later than 24 hours prior to the time set for convening the Annual Business Session of the General Assembly. This year, the deadline is 8:30 a.m., Friday, September 8. If the parliamentarian finds that a petitioned resolution is substantially similar in substance to a resolution already under consideration, the petitioned resolution will be disqualified by the General Resolutions Committee.

Resolutions can be viewed on the League's website: www.cacities.org/resolutions.

Any questions concerning the resolutions procedure should be directed to Linda Welch Hicks at the League office: lhicks@cacities.org or (916) 658-8224.

II. GUIDELINES FOR ANNUAL CONFERENCE RESOLUTIONS

Policy development is a vital and ongoing process within the League. The principal means for deciding policy on the important issues facing cities and the League is through the League's eight standing policy committees and the board of directors. The process allows for timely consideration of issues in a changing environment and assures city officials the opportunity to both initiate and influence policy decisions.

Annual conference resolutions constitute an additional way to develop League policy. Resolutions should adhere to the following criteria.

Guidelines for Annual Conference Resolutions

1. Only issues that have a direct bearing on municipal affairs should be considered or adopted at the Annual Conference.
2. The issue is not of a purely local or regional concern.
3. The recommended policy should not simply restate existing League policy.
4. The resolution should be directed at achieving one of the following objectives:
 - (a) Focus public or media attention on an issue of major importance to cities.
 - (b) Establish a new direction for League policy by establishing general principals around which more detailed policies may be developed by policy committees and the Board of Directors.
 - (c) Consider important issues not adequately addressed by the policy committees and Board of Directors.
 - (d) Amend the League bylaws.

III. LOCATION OF MEETINGS



Policy Committee Meetings

Wednesday, September 6, 2006

Marriott Marina Hotel

(Located adjacent to the Convention Center)

333 W. Harbor Drive

San Diego, CA 92101

(619) 234-1500

10:30 a.m. - Noon

Administrative Services

1 - 2:30 p.m.

Community Services

Public Safety

Note: The following committees will NOT meet as there were no resolutions referred to them: Employee Relations; Environmental Quality; Housing, Community & Economic Development; Revenue and Taxation; Transportation, Communication & Public Works



General Resolutions Committee

Friday, September 8, 2006, 1:30 p.m.

San Diego Convention Center

111 W. Harbor Drive

San Diego, CA 92101

(619) 525-5000



Concluding General Session/Annual Business Meeting

Saturday, September 9, 2006, 8:30 a.m.

Marriott Marina Hotel

(Located adjacent to the Convention Center)

333 W. Harbor Drive

San Diego, CA 92101

(619) 234-1500

IV. **KEY TO ACTIONS TAKEN ON RESOLUTIONS**

Resolutions have been grouped by policy committees to which they have been assigned.

Number	Key Word Index	Reviewing Body Action		
		1	2	3

1 - Policy Committee Recommendation
to General Resolutions Committee
2 - General Resolutions Committee
3 - General Assembly

ADMINISTRATIVE SERVICES POLICY COMMITTEE

		1	2	3
1	Annual Conference Resolutions Procedures			
2	Alternate Voting Delegates - Bylaws Amendment			

COMMUNITY SERVICES POLICY COMMITTEE

		1	2	3
3	Health and Wellness in Cities			

PUBLIC SAFETY POLICY COMMITTEE

		1	2	3
4	Forfeiture of Vehicles Used in Illegal Speed Contests and Exhibitions of Speed			

NOTE: NO RESOLUTIONS WERE ASSIGNED TO THESE POLICY COMMITTEES:

Employee Relations	Revenue and Taxation
Environmental Quality	Transp., Communication & Public Works
Housing, Comm. & Economic Dev.	

RESOLUTIONS INITIATED BY PETITION

		General Resolutions Committee Recommendation	General Assembly Action

KEY TO ACTIONS TAKEN ON RESOLUTIONS *(Continued)*

KEY TO REVIEWING BODIES

1. Policy Committee
2. General Resolutions Committee
3. General Assembly

KEY TO ACTIONS TAKEN

- A - Approve
- D - Disapprove
- N - No Action
- R - Refer to appropriate policy committee for study

Action Footnotes

- * Subject matter covered in another resolution
- ** Existing League policy
- *** Local authority presently exists

- a - Amend
- Aa - Approve as amended
- Aaa - Approve with additional amendment(s)
- Ra - Amend and refer as amended to appropriate policy committee for study
- Raa - Additional amendments and refer
- Da - Amend (for clarity or brevity) and Disapprove
- Na - Amend (for clarity or brevity) and take No Action
- W - Withdrawn by Sponsor

Procedural Note: Resolutions that are approved by the General Resolutions Committee, as well as all qualified petitioned resolutions, are reported to the floor of the General Assembly. In addition, League policy provides the following procedure for resolutions approved by League policy committees but *not* approved by the General Resolutions Committee.

Every resolution initially recommended for approval and adoption by all the League policy committees to which the resolution is assigned, but subsequently recommended for disapproval, referral or no action by the General Resolutions Committee, shall then be placed on a consent agenda for consideration by the General Assembly. The consent agenda shall include a brief description of the bases for the recommendations by both the policy committee(s) and General Resolutions Committee, as well as the recommended action by each. Any voting delegate may make a motion to pull a resolution from the consent agenda in order to request the opportunity to fully debate the resolution. If, upon a majority vote of the General Assembly, the request for debate is approved, the General Assembly shall have the opportunity to debate and subsequently vote on the resolution.

V
2006 ANNUAL CONFERENCE RESOLUTIONS

RESOLUTIONS REFERRED TO ADMINISTRATIVE SERVICES POLICY COMMITTEE

1. RESOLUTION RELATING TO ANNUAL CONFERENCE RESOLUTION PROCEDURES

Source: League Board of Directors
Referred to: Administrative Services Policy Committee
Recommendation to General Resolutions Committee:

WHEREAS, in November 2005, the League Board of Directors authorized the League President to appoint a committee consisting of board members and others to review the League's Annual Conference Resolution process and to recommend any changes; and

WHEREAS, the committee identified several opportunities to improve the resolutions process, which range from substantive changes to technical clarifications; and

WHEREAS, these recommendations were considered by the League's Administrative Services Policy Committee and Board of Directors; and

WHEREAS, because any policies included in a resolution approved by the membership would not take effect until after the close of the 2006 Annual Conference, the League Board of Directors has adopted these recommendations as policies on an interim basis for the 2006 Annual Conference Resolution process; and

WHEREAS, the League Board of Directors proposes this Annual Conference Resolution to provide League member cities the opportunity to review and approve the changes proposed for 2007 and beyond; now, therefore, be it

RESOLVED, by the General Assembly of the League of California Cities assembled in Annual Conference in San Diego, September 9, 2006, that the following policies be adopted to guide the League's Annual Conference Resolutions Process.

1. Debate During Consideration of Resolutions

- A. At policy committees, the General Resolutions Committee and General Assembly, the presiding officials shall have the option to set time limits on speakers and request that speakers not repeat statements made by previous speakers.
- B. City officials who are League members and others shall be permitted to speak at policy committee meetings when policy committees are considering resolutions. Only League members shall be permitted to speak at the General Resolutions Committee. However, if a League member requests, through the chair, that a non-member individual be permitted to speak to a resolution, the chair may permit that individual to briefly address the Committee. Only League members shall be permitted to speak at the General Assembly.

2. Moving Resolutions through the General Resolutions Process

- A. The League reaffirms its policy adopted in 1998 by Annual Conference Resolution #2, that those resolutions that are approved by a policy committee or committees to which they were assigned but not approved by the General Resolutions Committee shall move forward to the General Assembly on a separate consent calendar.
- B. All petitioned resolutions meeting the requirements of the League bylaws shall move from the General Resolutions Committee to the General Assembly, regardless of the recommendation of the General Resolutions Committee.
- C. For all other resolutions, only those that are approved by the General Resolutions Committee shall move forward to the General Assembly for consideration.

3. Credentials Committee

- A. The President of the City Attorneys Department shall recommend to the League President a city attorney to serve as an advisor to the credential committee to assist them in resolving credentials or voting eligibility questions.

4. Policy Regarding Advocacy Positions

- A. The League reaffirms its 1953 policy regarding League positions on ballot measures and legislation:

The League should "...take action only on matters that are of **broad municipal interest** [emphasis in original]. In other words, it is preferable that the League act only on those matters that are of concern to a large number of cities, rather than to the cities of a given area or to an individual city. Similarly, it is unsound for the League to take an active position on a subject when the cities in the state are about equally divided on each side of the issue. It has been the attitude of the board to attempt to resolve these issues so that a large majority of cities are on one side or the other."

5. Voting Procedures

- A. The configuration of the room in which the General Assembly is held shall be arranged so that the voting delegates and alternates are seated in one area of the room and the other attendees are seated in an other area of the room; and
- B. Only those voting delegates and alternates with the appropriate identifying stamps on their conference name badges shall be admitted to the voting delegate area of the General Assembly.

6. Amendments of Petitioned Resolutions

- A. The General Resolutions Committee may not make amendments to petitioned resolutions;
- B. If the General Resolutions Committee wishes, it may recommend by a majority vote to the General Assembly technical or clarifying amendments to a petitioned resolution;
- C. Substantive amendments that change the intent of the petitioned resolution may only be adopted by the General Assembly.

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2. **RESOLUTION RELATING TO THE NUMBER OF ALTERNATE VOTING DELEGATES A CITY MAY DESIGNATE – BYLAWS AMENDMENT**
(2/3rds vote required to approve)

Source: League Board of Directors
Referred to: Administrative Services Policy Committee
Recommendation to General Resolutions Committee:

WHEREAS, the General Assembly at the League of California Cities' Annual Conference is an opportunity for League members to shape League policy; and

WHEREAS, the League bylaws provide that each League member city has one vote at the General Assembly; and

WHEREAS, to exercise this right to vote at the General Assembly, the League bylaws require that the city council in each League member city designate a voting delegate to represent it; and

WHEREAS, to provide for any unforeseen inability of the city's voting delegate to attend the General Assembly, the bylaws also allow the city council in each League member city to designate an alternate voting delegate; and

WHEREAS, periodically a number of cities have found themselves in a situation in which neither their voting delegate nor their alternate was able to attend the General Assembly; and

WHEREAS, the League desires that all member cities participate in the General Assembly so that resolutions adopted at the General Assembly reflect the full perspective of the League's membership; and

WHEREAS, allowing member cities to designate an additional voting delegate alternate will encourage such full participation in the General Assembly; now, therefore be it

RESOLVED, by the General Assembly of the League of California Cities assembled in Annual Conference in San Diego, September 9, 2006, that the League allow city councils in member cities to designate one voting delegate and up to two alternates by amending¹ section 3 of Article V (Membership Meetings) of the League bylaws as follows:

Section 3: City Delegates as General Assembly.

- (a) **Designation.** Each Member City may, with the approval of the city council, designate a city official as the city's designated voting delegate ~~or~~ and, in the event that the designated voting delegate is unable to serve in that capacity, up to two alternate voting delegates.
- (b) **Membership Decision-making Body.** Designated voting delegates (or their alternates) constitute the League's General Assembly.
- (c) **Registration for Annual Conference.** For General Assemblies held in conjunction with the Annual Conference, designated voting delegates must register to attend the Annual Conference.

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¹ Bylaw language additions are indicated by underlining; deletions are indicated by ~~strike-outs~~.

Background Information on Resolutions #1 and #2

Source: League Board of Directors
Titles: · Resolution Relating to Annual Conference Resolution Procedures
· Resolution Relating to the Number of Alternate Voting Delegates a City May Designate - Bylaws Amendment

Background:

At its November 2005 meeting, the League Board of Directors authorized the League President to appoint a committee consisting of board members and others to review the issues and problems related to the League's Annual Conference resolutions process and to recommend changes to remedy the problems. The changes would be accomplished either through an Annual Conference resolution, new board policy, changes to internal League procedures, or other mechanisms. The Committee included the following individuals:

Pat Eklund, Council Member, Novato (Chair)
Paul Leullig, Council Member, Barstow
Kara Ueda, Assistant City Attorney, Davis
Debbie Cook, Council Member, Huntington Beach
Pamyla Means, City Clerk, Irvine
Marland Townsend, former Council Member, Foster City

The need for the committee stems from the difficult and often divisive experience at last year's Annual Conference related to Proposition 76. Issues and problems that arose at the conference included whether petitioned resolutions can be amended by the General Resolutions Committee, whether the League should take a position on a ballot measure where the membership is divided, how to fairly provide opportunities for public comment at the conference, and perceived inappropriate lobbying of voting delegates of the resolution at the conference by supporters and opponents of Proposition 76.

In addition, prior to and during the conference, city officials and League staff identified other issues and procedures related to the resolutions process that warrant evaluation and potential modification. Some are minor, technical modifications or procedural changes, while others involve resolving inconsistencies between the provisions of the League bylaws and the League's historical practices or resolving ambiguities in our procedures.

Committee Review Process: The Annual Conference Resolutions Process Committee met by conference call four times to discuss and make recommendations on the following Annual Conference Resolutions process topics.

1. Resolutions – Referral to Policy Committees and Moving Resolutions from General Resolutions Committee to General Assembly
2. General Resolutions Committee and General Assembly – Public Comment
3. Credentials Committee
4. Voting Delegates
5. Resolutions – Procedures Related to Multiple Petitioned Resolutions that are Identical or Similar
6. Resolutions Related to League Positions on Ballot Measures
7. Voting and Lobbying at the General Assembly
8. Resolutions – Amending Petitioned Resolutions

The Administrative Services Policy Committee reviewed the committee's recommendations in March and unanimously adopted the recommendations from the special committee. The League Board

concurred and approved the recommendations, with the exception of the recommendation related to amending petitioned resolutions. The Board modified the recommendation regarding amendment petitioned resolutions to clarify that petitioned resolutions may not be amended by the General Resolutions Committee.

Implementation for 2006: In addition to the items included in this resolution, the committee and Board adopted a number of procedural changes that have been or will be implemented through internal staff procedures. For example, consistent with the League's bylaws, cities must demonstrate that designation of their voting delegates and alternates are the result of council action. In the past, some cities have provided documentation of council action (or affirmed that the designation reflects council action), but many cities did not. The League has reaffirmed this requirement in voting delegate the information sent to cities.

As stated in the resolution, because the Annual Conference Resolution acted upon at the 2006 conference will not go into effect until the 2007 conference, the Board of Directors has adopted, as an interim policy, the substance of the resolution so that it can be implemented in 2006. The exception is the recommendation to increase the number of alternate voting delegates to two.

Bylaws Change: The committee recommended, and the Administrative Services Policy Committee and Board agreed, that the number of voting delegate alternates that cities may designate should be increased from one to two. This is recommended to provide greater flexibility to cities and city officials who have last minute problems with travel plans and so that their city can participate in the General Assembly and be able to cast a vote on the resolutions. This requires a bylaws change, which must pass by a two-thirds vote to be adopted. Resolution No. 2 would implement this recommendation. As a bylaws change, it requires a 2/3 vote to be approved.

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RESOLUTION REFERRED TO COMMUNITY SERVICES POLICY COMMITTEE

3. RESOLUTION RELATING TO ENCOURAGING HEALTH AND WELLNESS IN CITIES

Source: Community Services Policy Committee, and
Recreation, Parks & Community Services Department
Referred to: Community Services Policy Committee
Recommendation to General Resolutions Committee:

WHEREAS, in 2004, the League adopted an Annual Conference resolution to encourage cities to embrace policies that facilitate activities to promote healthier lifestyles and communities, including healthy diet and nutrition and the adoption of city design and planning principles that enable citizens of all ages and abilities to undertake exercise; and

WHEREAS, one of the League of California Cities strategic goals for 2006 is to promote and develop safe and healthy cities; and

WHEREAS, the members of the League's Recreation, Parks Community Services Department, which consists of professionals within city departments such as parks and recreation, libraries and human services, has expertise in the field of healthy cities; and

WHEREAS, the City, County, State (CCS) Partnership, of which the League is a member, is encouraging local government to adopt and promote policies and programs that address issues of health and well-being; and

WHEREAS, many cities currently provide health and wellness programs, promote planning principles that provide a healthy environment, and have excellent examples of successful programs; now, therefore, be it

RESOLVED, by the General Assembly of the League of California Cities assembled in Annual Conference in San Diego, September 9, 2006, that the League, in cooperation with the Community Services Policy Committee, the Recreation, Parks and Community Services Department, and the CCS Partnership, work together to develop a clearinghouse of information that cities can use to promote wellness policies and healthier cities; and, be it further

RESOLVED, that this activity take the form of a toolkit on the League's website for cities to visit in order to share, find and develop successful models of health and wellness to use in their respective communities to achieve the goal of safe and healthy cities; and, be it further

RESOLVED, that Health and Wellness programs become a topic for the Helen Putnam Awards Program beginning in 2007; and, be it further

RESOLVED, that the three groups continue to work throughout 2007 in an effort to implement this resolution.

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RESOLUTION REFERRED TO PUBLIC SAFETY POLICY COMMITTEE

4. RESOLUTION RELATING TO FORFEITURE OF VEHICLES USED IN ILLEGAL SPEED CONTESTS AND EXHIBITIONS OF SPEED

Source: City of Elk Grove
Referred to: Public Safety Policy Committee
Recommendation to General Resolutions Committee:

WHEREAS, according to public safety professionals, illegal speed contests and exhibitions of speed pose a real, serious threat to the health and safety of the public, interfere with pedestrian and vehicular traffic, create a public nuisance, and interfere with the right of individuals and businesses to enjoy the use of their property; and

WHEREAS, public health and safety can be enhanced when illegal speed contests and exhibitions of speed are discouraged and prevented by the enactment of local ordinances that seek to impose forfeiture of vehicles used in such events as a penalty for illegal speed contests and exhibitions of speed; and

WHEREAS, California state law does not appear to expressly authorize cities or counties to enact local ordinances that impose vehicle forfeiture as a penalty for illegal speed contests and exhibitions of speed; and

WHEREAS, consistent with the mission and core beliefs of the League of California Cities, providing cities and counties with the flexibility in state law to impose the penalty of vehicle forfeiture

for illegal speed contests and exhibitions of speed enhances public safety and facilitates local control; now, therefore, be it

RESOLVED, by the General Assembly of the League of California Cities, assembled in Annual Conference in San Diego, September 9, 2006, that the League co-sponsor state legislation to expressly authorize cities and counties to impose vehicle forfeiture as a penalty for illegal speed contests and exhibitions of speed.

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Background Information on Resolution #4

Source: City of Elk Grove

Title: Resolution Relating to Forfeiture of Vehicles Used in Illegal Speed Contests and Exhibitions of Speed

Background:

Street racing is a growing concern not just in the City of Elk Grove, but in many communities statewide. In order to protect public health, safety, and welfare, cities and counties may seek to enact ordinances to address this problem, including ones that would impose vehicle forfeiture as a penalty for illegal speed contests and exhibitions of speed. Unfortunately, state law does not appear to expressly authorize cities or counties to enact such ordinances and they may be vulnerable to court challenge.

The City of Elk Grove is submitting this resolution to seek League co-sponsorship of legislation that would expressly authorize cities or counties to enact local ordinances – at their discretion – that may impose vehicle forfeiture as a penalty for illegal speed contests and exhibitions of speed.

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[NOTE: No resolutions were assigned to the following policy committees: Employee Relations; Environmental Quality; Housing, Community & Economic Development; Revenue and Taxation; and Transportation, Communication & Public Works.]

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